

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION**

**UNITED STATES OF AMERICA,**  
**Plaintiff,**

**v.**

**JOSEPH FRANKLIN SMITH,**  
**Defendant.**

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Case No.  
1:01-cr-00031-MAC-CLS-3

**DEFENDANT SMITH'S UNOPPOSED MOTION FOR AUTHORIZATION TO FILE  
OVERLENGTH BRIEF IN SUPPORT OF MOTION FOR COMPASSIONATE RELEASE**

The Defendant, Joseph F. Smith, through undersigned counsel, respectfully requests authorization to file an overlength brief in support of his Motion to Reduce Sentence Pursuant to 18 U.S.C. § 3582(c)(1)(A)(i). Undersigned counsel has conferred with the government regarding this request and Assistant United States Attorney Joe Batte does not oppose this motion.

Accordingly, Defendant respectfully requests the Court's permission to file an overlength brief of 29 pages in support of his Motion to Reduce Sentence Pursuant to 18 U.S.C. § 3582(c)(1)(A)(i). The request for an overlength brief is predicated on the novel legal issues raised in Smith's motion and complex factual record in this case.

Respectfully submitted,

DEBEVOISE & PLIMPTON LLP

By: /s/ Steven G. Tegrar

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**CERTIFICATE OF SERVICE**

I hereby certify that on July 25, 2024, I electronically filed the foregoing in the Eastern District of Texas by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

Dated: July 25, 2024

/s/ Steven G. Tegrar  
Steven G. Tegrar (*pro hac vice*)  
*Counsel for Joseph F. Smith*

**CERTIFICATE OF CONFERENCE**

In accordance with United States District Court for the Eastern District of Texas Local Rule CR-47(a)(3), the undersigned counsel for Defendant Joseph F. Smith in the above-captioned case (“Counsel”), hereby certify that Counsel conferred with Assistant U.S. Attorney Joe Batte on June 10, 2024 and June 12, 2024 and the government is unopposed to the relief sought by Defendant.

Dated: July 25, 2024

/s/ Steven G. Tegrar  
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*Counsel for Joseph F. Smith*

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**ORDER**

Having considered the foregoing *Defendant Smith's Unopposed Motion For Authorization To File Overlength Brief In Support Of Motion For Compassionate Release*,

IT IS HEREBY ORDERED that the motion is GRANTED. The clerk's office shall permit the Defendant to file an overlength brief of 29 pages in support of his Motion to Reduce Sentence Pursuant to 18 U.S.C. § 3582(c)(1)(A)(i).

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HONORABLE UNITED STATES  
DISTRICT JUDGE MARCIA A. CRONE